



Department of Defense Explosives Safety Seminar

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DoD Range Rule

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Why Range Rule?

- **Need for cohesive process to address UXO and other constituents on Closed, Transferring, and Transferred Ranges**
- **Ranges contain military unique compounds**
 - DDESB is explosives safety authority
 - DoD has explosives safety expertise



Where Range Rule Will Apply

- **Applies to United States and U.S. Territories:**
 - Puerto Rico
 - Guam
 - American Samoa
 - Virgin Islands
 - Commonwealth of Northern Mariana Islands
- **Does not apply to active/inactive ranges, ranges with prior agreements (unless all parties agree), air maneuver areas, historic battlefields**



Scope of Range Rule

~~Active~~

~~Inactive~~

UXO and Other
Constituents

Closed

Transferring
(BRAC)

Transferred
(FUDS)



Overview of Range Rule Process

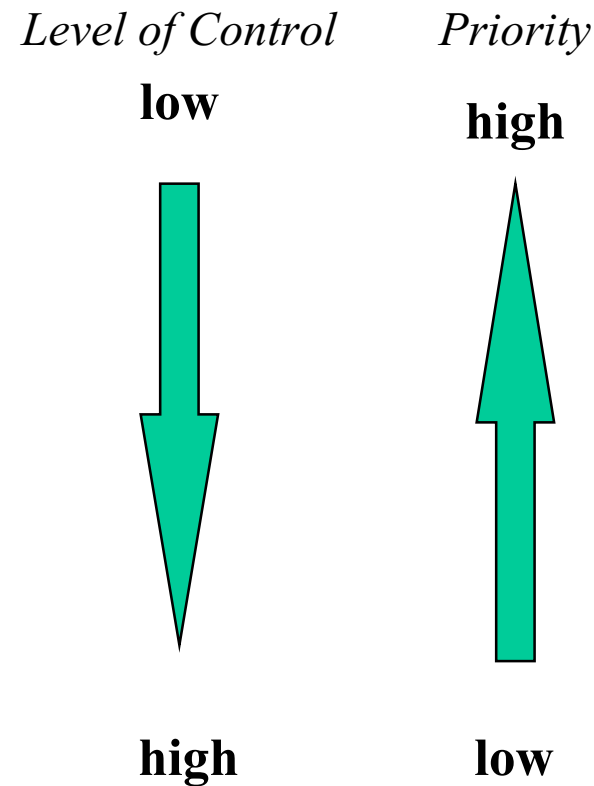
5 Phases

- Range identification
- Range assessment/accelerated response (RA/AR)
- Range evaluation/site-specific response (RE/SSR)
- Recurring review
- Administrative close-out of response action



1st Phase: Range Identification

- **Military Range Inventory**
- **Central Inventory Database**
- **Relative Prioritization**
 - FUDS on private lands
 - FUDS on federal, non-federal lands
 - Transferring DoD properties (e.g., BRAC sites)
 - Closed ranges on DoD installations



2nd Phase: Range Assessment/ Accelerated Response (RA/AR)

Range Assessment

- **Limited scope**
- **Assesses risk posed by:**
 - UXO
 - Other constituents



Accelerated Responses

some examples

- **Source removals/surface sweeps**
- **Posting warning signs**
- **Controlling access**
- **Community education/awareness**
- **Monitoring program**
- **Other appropriate engineering, institutional, or exposure controls**

3rd Phase: Range Evaluation/ Site-Specific Response (RE/SSR)

Range Evaluation

- Detailed investigation
- Fully characterizes risks posed by UXO, or other constituents
- Determines if Accelerated Responses are adequate or if site-specific response necessary
- Requires collection/analysis of quantitative information



Site-Specific Response Evaluation

- Highly focused investigation of response alternatives
- Screen site-specific response alternative against evaluation criteria
- Prepare RE/SSRE Report

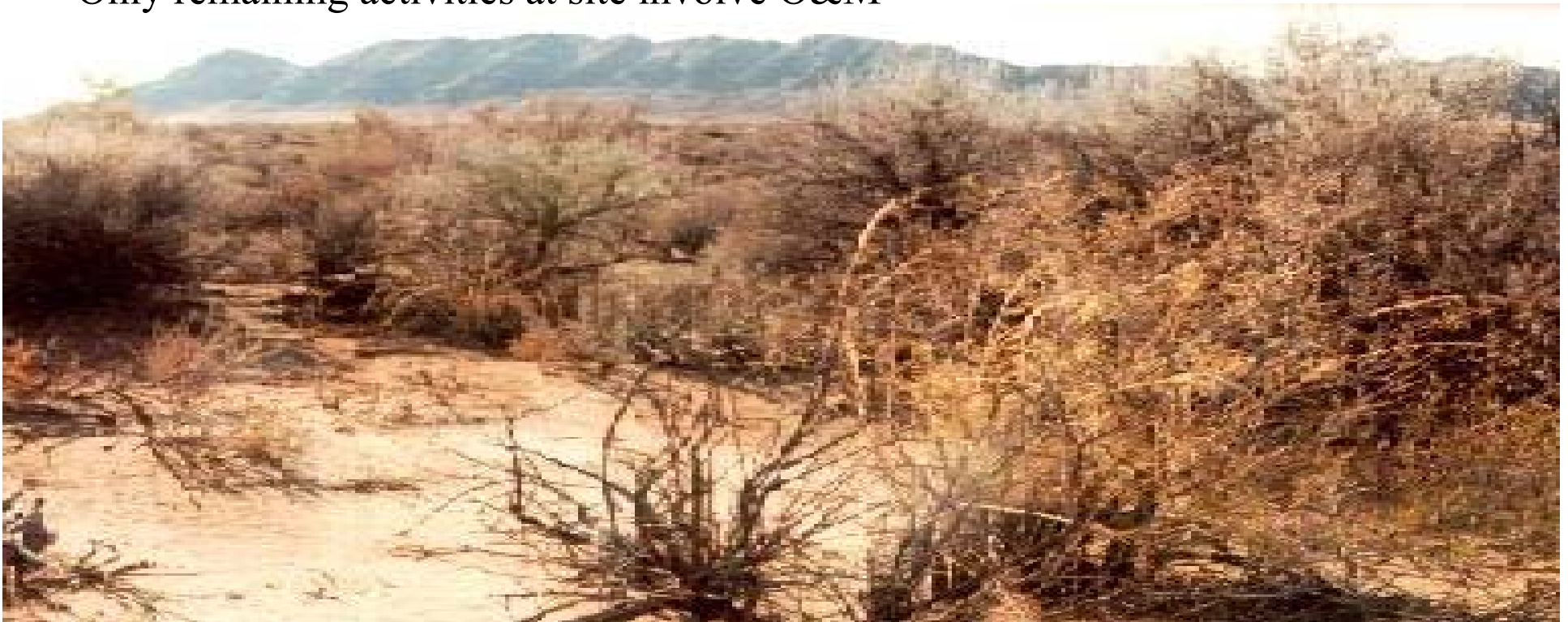
4th Phase: Recurring Reviews

- **Determines if response still:**
 - Minimizes explosive safety risks
 - Protects human health/environment
- **For findings of Technical Impracticability, provides an opportunity to assess applicability of new technology**



5th Phase: Administrative Close-Out of Response Action

- Demonstrate UXO or other constituents pose minimal risks
- Specific response objectives have been achieved/monitoring confirms
- Response is fully operational and performing to design specifications
- Only remaining activities at site involve O&M



Risk Assessment

- **Other Constituents:**
RAGS/ERAGS

- Receptor
- Pathway
- Toxicity

- **UXO: R3M**

- Probability of UXO Encounter
- Probability of UXO Detonation
- Detonation Consequences



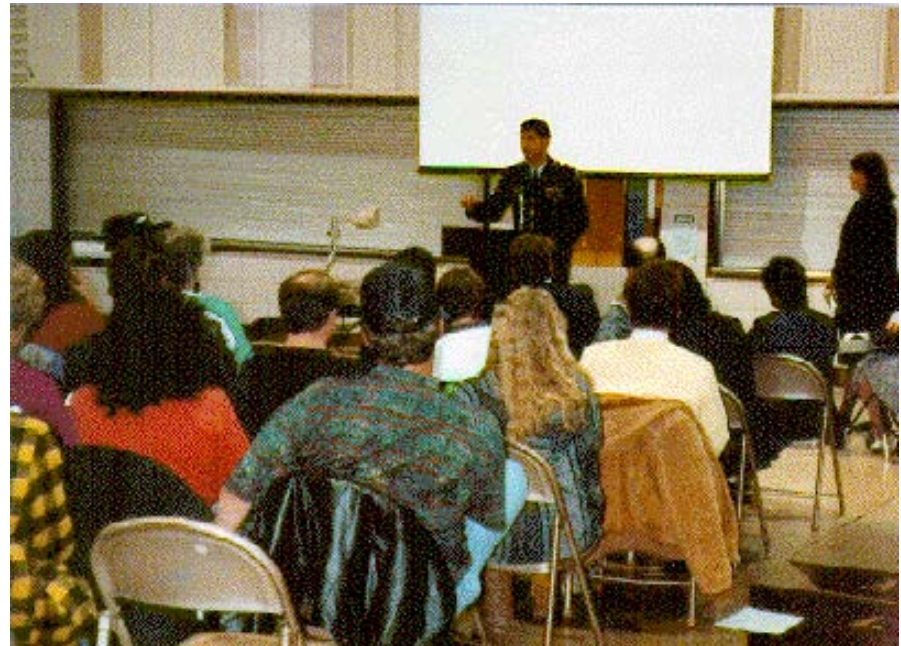
Technology Development

- **Detection**
- **Discrimination**
- **Removal**
- **Development of “green” munitions**



Public Involvement Activities

- **Solicit input from federal/state/tribal/public groups before publishing proposed rule**
- **Mail-in address**
(DoD Range Rule, POB 3430, Gaithersburg MD 20878-3430)
- **Toll-free phone numbers**
(800-870-6542; TDD 6557; fax 6547)
- **Web site (<http://www.acq.osd.mil/ens/>)**
- **Fact sheets (5)**
- **Public information forums (4)**



Range Rule Partnering Initiative

- **Participants suggested by ASTSWMO**
- **Moderated by WGA**
- **Participating states: AK, AL, CA, CO, FL, IL, MA, MD, MO, NJ, OK, OR, TX, UT, WA**
- **Participating tribes: Oglala-Lakota Nation (SD), Aleutian-Pribilof Islands Assn. (AK)**
- **Participating NGOs: ASTSWMO, NAAG, NTEC, Pacific Studies Center**



Overall Process

- **Develop draft proposed rule**
- **Internal & federal agency consultation**
- **Stakeholder consultation**
- **OMB review**
- **Publish proposed rule in Federal Register**
- **Public comment period (90 days)**
- **Revise rule per comments received**
- **Internal & federal agency re-coordination**
- **Publish revised (“final”) rule in Federal Register**



Range Rule Public Comment


- **Public Comment period:**
Sept. 26, 1997-Dec. 29, 1997.
- **Received 250 pages of comments**
- **Most from states**
- **Other comments from tribes, federal agencies, and public citizens**



Substantive Comments



- **How does the Range Rule interact with CERCLA and RCRA?**
- **A cleanup/acceptable risk standard needs to be established and the public needs to be involved in its creation.**
- **Dispute Resolution**

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- The background of the slide is a photograph of a large aircraft carrier, likely an Arleigh Burke-class destroyer, sailing on the ocean. A smaller ship is visible in the background to the left. The sky is overcast.
- **Partner with states & others on R3M**
 - **Publish R3M Notice of Availability in FR**
 - **Publish interim final risk model/protocol - Before final rule**
 - **Publish implementing guidance**
 - **Address comments received/revise rule**
 - **Recoordinate with EPA/other federal agencies**
 - **Complete NEPA Analysis - Before final rule**
 - **Publish final rule - Summer 1999**

Range Rule Future Actions